

**ASSEMBLY BILL**

**No. 975**

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**Introduced by Assembly Member Fong**

February 26, 2009

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An act to amend Section 389 of the Public Utilities Code, relating to the Secretary of the California Environmental Protection Agency.

LEGISLATIVE COUNSEL'S DIGEST

AB 975, as introduced, Fong. Secretary of the California Environmental Protection Agency: report.

Existing law requires the Secretary of the California Environmental Protection Agency to prepare and submit to the Legislature an annual report on the existence, status, and progress of any public policy measures for cost-shifting, as specified, each year from 1999 to 2001, inclusive.

This bill would delete those provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 389 of the Public Utilities Code is
- 2 amended to read:
- 3 389. ~~(a)~~—The Secretary of the California Environmental
- 4 Protection Agency, in consultation with interested stakeholders
- 5 including relevant state and federal agencies, boards, and
- 6 commissions, shall evaluate and recommend to the Legislature
- 7 public policy strategies that address the feasibility of shifting costs
- 8 from electric utility ratepayers, in whole or in part, to other classes

1 of beneficiaries. This evaluation also shall address the  
2 quantification of benefits attributable to the solid-fuel biomass  
3 industry and implementation requirements, including statutory  
4 amendments and transition period issues that may be relevant, to  
5 bring about equitable and effective allocation of solid-fuel biomass  
6 electricity costs that ensure the retention of the economic and  
7 environmental benefits of the biomass industry while promoting  
8 measurable reduction in real costs to ratepayers. This evaluation  
9 shall be in coordination with the California Energy Resources  
10 Conservation and Development Commission's efforts pursuant to  
11 subdivision (b) of Section 383, addressing renewable policy  
12 implementation issues. The Secretary of the California  
13 Environmental Protection Agency shall submit a final report to  
14 the Legislature, using existing agency resources, prior to March  
15 31, 1997.

16 ~~(b) The Secretary of the California Environmental Protection~~  
17 ~~Agency, in consultation with relevant state and federal agencies,~~  
18 ~~boards, and commissions, and with representatives of the solid-fuel~~  
19 ~~biomass industry, shall prepare and submit to the Legislature an~~  
20 ~~annual report on the existence, status, and progress of any public~~  
21 ~~policy measures for cost-shifting developed as a result of the~~  
22 ~~recommendations made pursuant to subdivision (a), on or before~~  
23 ~~March 31 of each year from 1999 to 2001, inclusive. A report~~  
24 ~~prepared pursuant to this subdivision shall not exceed 10 pages.~~